

On or about August 6, 1938, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 cartons of candy at Houston, Tex.; alleging that the article had been shipped in interstate commerce on or about February 23, 1938, by American Candy Co. from Milwaukee, Wis.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On September 13, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29468. Adulteration and misbranding of dog food. U. S. v. 211 Cases of Dog Food. Default decree of condemnation and destruction. (F. & D. No. 42906. Sample No. 24367-D.)

This product was deficient in protein and contained added water.

On June 10, 1938, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 211 cases of dog food at Indianapolis, Ind.; alleging that the article had been shipped in interstate commerce on or about May 2, 1938, by the Banner Packing Co., of Des Moines, Iowa, from Chicago, Ill.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Blue Cross Dog Food * * * General Laboratories, Inc., Des Moines, Iowa."

Adulteration was alleged in that a substance deficient in protein and containing added water had been substituted in whole or in part for the article.

Misbranding was alleged in that the following statements in the labeling were false and misleading and tended to deceive and mislead the purchaser when applied to a product consisting of approximately 75 percent water and which contained only 7.74 percent of protein: " * * * it *Is* everything—it *Has* everything I need.' This wholesome food is correctly balanced for the feeding of dogs and cats. Contains only red muscle meat from beef and horse—combined with bone, bone marrow, parts of wheat, soya flour, rolled oats, carrots, with salt, potassium iodide, cod liver oil and charcoal added. Guaranteed Analysis Crude Protein (Min.) 12%."

On August 18, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29469. Adulteration of candy. U. S. v. 17 and 13 Cartons of Candy (and two similar seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 43030, 43265, 43266, 43338. Sample Nos. 23966-A, 37830-D, 37831-D, 37936-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original packages was, at the time of examination, found to be insect-infested.

On July 8 and August 9 and 17, 1938, the United States attorneys for the Eastern District of Louisiana and the Northern District of Alabama, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 17 boxes of candy at New Orleans, La., and 52 cartons of candy at Birmingham, Ala.; alleging that the article had been shipped in various lots on or about February 9, March 10, and May 18, 1938, by Bunte Bros. from Chicago, Ill.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On September 12, 21, and 29, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29470. Adulteration of candy. U. S. v. 13 Cartons of Candy, et al. Default decree of condemnation and destruction. (F. & D. Nos. 43249, 43250, 43251. Sample Nos. 37835-D to 37837-D, inclusive.)

This product having been shipped in interstate commerce and remaining unsold and in the original package was, at the time of examination, found to be insect-infested.

On August 9, 1938, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 69 cartons of candy at Birmingham, Ala.; alleging that the article had been shipped in interstate commerce on or about February 4, 1938, by Keppel & Ruof, Inc., from Lancaster, Pa.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On September 12, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29471. Adulteration of candy. U. S. v. 14 Boxes of Candy. Default decree of condemnation and destruction. (F. & D. No. 42988. Sample No. 16256-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original packages was, at the time of examination, found to contain weevils and larvae.

On June 28, 1938, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 14 boxes of candy at Houston, Tex.; alleging that the article had been shipped in interstate commerce on or about February 4, 1938, by Schall Candy Co. from Clinton, Iowa, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On September 10, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29472. Adulteration of candy. U. S. v. 12 Boxes of Candy. Default decree of condemnation and destruction. (F. & D. No. 42998. Sample No. 23965-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original unbroken packages was, at the time of examination, found to be insect-infested.

On June 30, 1938, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 boxes of candy at New Orleans, La.; alleging that the article had been shipped in interstate commerce on or about March 9, 1938, by the Newton Products Co. from Cincinnati, Ohio; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On September 29, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29473. Adulteration and misbranding of blended whisky. U. S. v. 54 Cases and 1 Case of Alleged Seagram's Five Crown Whisky (and one similar seizure action). Default decrees of condemnation and destruction. (F. & D. No. 37514. Sample Nos. 69106-B to 69114-B, inclusive.)

This product was falsely labeled with respect to the age of the straight whisky in the blend, also with respect to the brand and name and address of the manufacturer.

On April 17, 1936, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of two lots, containing a total of 259 cases of blended whisky, at Washington, D. C.; alleging that the article had been shipped in interstate commerce on or about March 11, 1935, from Baltimore, Md., by a person or persons unknown; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that one lot purported to contain 33½ percent, and the other lot purported to contain 20 percent of 4-year-old whisky; whereas the straight whisky in fact contained therein was considerably less than 4 years old and had been treated by an artificial aging process.

Misbranding was alleged in that the statements, (front labels) "Seagram's Seven [or "Five"] Crown Blended Whiskey * * * Blended and Bottled By Joseph E. Seagram & Sons, Inc., Lawrenceburg, Ind."; (back label) "The